

Nancy Curry, Chapter 13 Trustee
1000 Wilshire Boulevard, Suite 870
Los Angeles, CA 90017
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UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA – LOS ANGELES DIVISION	
IN RE: VEERKAMP, LINDA M	CASE NO. 2:23-bk-17901-VZ CHAPTER 13 TRUSTEE’S OBJECTION TO CONFIRMATION OF DEBTOR’S CHAPTER 13 PLAN UNDER 11 USC §§§1322, 1325 AND 1326; DECLARATION IN SUPPORT; NOTICE OF POSSIBLE DISMISSAL OR CONVERSION UNDER 11 USC §1307 DATE: November 4, 2024 TIME: 10:00 AM COURTROOM: 1368 255 East Temple Street Los Angeles, CA 90012

The Chapter 13 Standing Trustee hereby objects to the confirmation of the proposed plan because the Debtor has failed to meet all necessary requirements as detailed in the attached declaration and supporting Exhibit A.

THE FAILURE OF THE DEBTOR, OR THE ATTORNEY REPRESENTING THE DEBTOR, TO RESPOND TO THESE OBJECTIONS, APPEAR AT THE CONFIRMATION HEARING AND FAILURE TO PRESENT EVIDENCE THAT ALL REQUIRED PAYMENTS ARE CURRENT MAY RESULT IN DISMISSAL OR CONVERSION OF THE CASE.

Therefore, the Trustee respectfully requests that confirmation of the plan be denied and for such other relief as the Court may deem appropriate.

DATED: March 29, 2024

/s/ Nancy Curry
Chapter 13 Standing Trustee

DECLARATION OF MASAKO OKUDA

I, MASAKO OKUDA, declare as follows:

1. Nancy Curry is the Chapter 13 Standing Trustee in this matter:

VEERKAMP, LINDA M, 2:23-bk-17901-VZ

I am employed by the Trustee as a staff attorney and am duly qualified to make this declaration. The Trustee has files and records kept by her office in the regular course of business. I have personally reviewed the files and records kept by her office in the within case. The following facts are true and correct within my own personal knowledge and I could and would testify competently thereto if called upon to do so.

2. I object to the confirmation of the proposed Plan because of the specific deficiencies which are set forth in the attached Exhibit A which is incorporated herein by reference.

I declare under penalty of perjury that the foregoing is true and correct. Executed at Los Angeles, California on March 29, 2024.

DATED: March 29, 2024

/s/ Masako Okuda
Masako Okuda

Debtor: VEERKAMP, LINDA M

Case No.: 2:23-bk-17901-VZ

§341(a): 3/28/2024

Debtor attorney: James D. Hornbuckle

EXHIBIT A

The Trustee objects to any provision of the plan that fails to comply with the provisions of the bankruptcy code and rules, including provisions related to plan duration.

Other issues may arise at or before confirmation requiring additional action or information by the debtor and counsel.

Failure to disclose

In re Rolland, 317 BR 402 (Bankr. C.D. Cal 2004)

The Debtor has failed to disclose two checking accounts (Chase and Bank of America).
The Debtor is requested to provide copies of the bank statements.

[11 USC §521(a)(1)]

Feasibility

The Plan is infeasible [11 USC § 1325(a)(6)] because

1. The presently known claim total exceeds the amount the plan provides – The Entrust Group.
2. Scheduled income and expenses result in less than what is required to fund the Plan – I/J surplus (-)\$4,618/mo.

Best effort

Hamilton v. Lanning, 130 S.Ct. 2464 (2010)

The Plan does not represent a best effort of the Debtor. [11 USC § 1325(b)(1)(B)]

The proposed Plan term (20 months) is shorter than the commitment period of 3 years pursuant to Form 122C-1.

Income

The Debtor has failed to timely (7 days before the §341(a) debtor examination) provide:

(1) Payment advices (food stamps) [11 USC §521(a)(1), LBR 3015-1(c)(3)].

(2) Declaration of Contribution to Chapter 13 Plan (F3015-1.09) (\$2,500/mo)

The Debtor, who is a self-employed real estate agent, has failed to comply with the business reporting requirements of LBR 3015-1(c)(4).

The Debtor is requested to provide actual monthly income and expense statements for May 2023 – 2024 YTD with supporting bank statements; and continue to provide these statements each month until a plan is confirmed.

The Income and Expense Statement Form can be downloaded from the Trustee's website: <http://curry.trustee13.com>.

PROOF OF SERVICE DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

1000 Wilshire Blvd., Suite 870
Los Angeles, CA 90017

A true and correct copy of the foregoing document entitled (specify) **TRUSTEE'S OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN UNDER 11 USC §§§1322, 1325 AND 1326; DECLARATION IN SUPPORT; NOTICE OF POSSIBLE DISMISSAL OR CONVERSION UNDER 11 USC §1307** will be served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On March 29, 2024, I checked the CM/ECF document for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

2. SERVED BY UNITED STATES MAIL: On March 29, 2024, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

VEERKAMP, LINDA M

JAMES D. HORNBUCKLE

18320 REGINA AVE
TORRANCE, CA 90504

4158 14TH STREET
RIVERSIDE, CA 92501-

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P.5 and/or controlling LBR, on March 29, 2024, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission, and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Honorable Vincent Zurzolo
U.S. Bankruptcy Court
Bin outside of Suite 1360
255 East Temple Street
Los Angeles, CA 90012

I declare under penalty of perjury that the laws of the United States that the foregoing is true and correct.

March 29, 2024
Date

Carlos Robles
Type Name

/s/ Carlos Robles
Signature